

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

VAFA SHAMSAI-NEJAD,

Plaintiff,

v.

CCPD, et al.,

Defendants.

Case No. 2:12-cv-00427-MMD-CWH

ORDER ADOPTING REPORT AND
RECOMMENDATION (dkt. no.11)

Before the Court is the Report and Recommendation of United States Magistrate Judge C.W. Hoffman, Jr. (dkt. no. 11), entered on October 10, 2012, recommending denial of Plaintiff's Amended Complaint (dkt. no. 5) which was filed on April 4, 2012.

The Court previously entered an Order granting Plaintiff's Application to Proceed *in Forma Pauperis* (dkt. no. 1), and dismissing Plaintiff's Complaint without prejudice (dkt. no. 4). Plaintiff submitted an Amended Complaint on April 4, 2012 (dkt. no. 5). On September 5, 2012, the Court ordered that the Amended Complaint be dismissed without prejudice, and granted Plaintiff thirty (30) days to file a second amended complaint correcting the noted deficiencies (dkt. no. 9).

Plaintiff failed to submit an amended complaint within the requisite deadline. The Magistrate Judge accordingly recommends dismissing the deficient Amended Complaint (dkt. no. 5) with prejudice. No objections have been filed.

The Court has conducted its *de novo* review of the Magistrate Judge's Findings and Recommendation pursuant to 28 U.S.C. § 636 (b)(1)(B) and Local Rule IB 3-2, and


1 determines that the Magistrate Judge's Report and Recommendation (dkt. no. 4) entered
2 on October 10, 2012, should be adopted and accepted.

3 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and
4 Recommendation (dkt. no. 11) entered on October 10, 2012, is ADOPTED AND
5 ACCEPTED.

6 IT IS FURTHER ORDERED THAT the Amended Complaint (dkt. no. 5) is
7 DISMISSED WITH PREJUDICE. The Clerk of the Court is HEREBY ORDERED to
8 close this case.

9 DATED THIS 26th day of February 2013.

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MIRANDA M. DU
UNITED STATES DISTRICT JUDGE